



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/008,609 Confirmation No.: 2483 **RECEIVED**
Applicant : Cyrille CASSET DEC 29 2004
Filing Date : November 8, 2001 **OFFICE OF PETITIONS**
Title : DETECTION OF A RISK OF A FUSION SITUATION IN AN
ACTIVE IMPLANTABLE MEDICAL DEVICE
Group Art Unit : 3762
Examiner : Kennedy Schaetzle
Docket No. : 8707-2132
Customer No. : 30210

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Fax: (703) 872-9306

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

12/28/2004 AWONDAF1 00000036 150665 10008609

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CERTIFICATE OF MAILING OR TRANSMISSION 37 CFR §1.8(a)

I hereby certify, pursuant to 37 CFR §1.8, that I have reasonable basis to expect that this paper or fee (along with any referred to as being attached or enclosed) would be mailed or transmitted on or before the date indicated with the United States Postal Service with sufficient postage as first class mail on the date shown below in an envelope addressed to the Commissioner for Patents, Mail Stop Petition, P.O. Box 1450, Alexandria, VA 22313-1450

Dated: December 22, 2004

DOCSNY1:1092325.1

Yolanda Bonilla

Applicant : Cyrille CASSET
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1. PETITION FEE

Small entity - fee \$ \$750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity – fee \$ 1,500.00 (37 CFR 1.17(m)).

2. REPLY AND/OR FEE

A. The reply and/or fee to the above-noted Office action in the form of Issue Fee Transmittal (identify type of reply);

has been filed previously on _____

is enclosed herewith.

B. The issue fee of \$ 1,630.00

has been paid previously on _____

is enclosed herewith.

3. TERMINAL DISCLAIMER WITH DISCLAIMER FEE

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ 60.00 for a small entity or \$ 130.00 for other than a small entity) disclaiming the required period of time is enclosed herewith (See PTO/SB/63).

4. FEE PAYMENT

Enclosed is a check for the sum of \$_____

Please charge Account No. 15-0665 the sum of \$ 3,160.00.
A duplicate of this sheet is attached.

5. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

The Commissioner is hereby authorized to charge any surcharge fee deficiency to Account No. 15-0665.

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6. STATEMENT

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

By: 

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Dated: December 22, 2004